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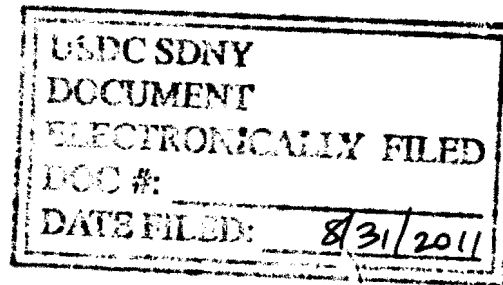
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CHARLES F. MORRISSEY
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August 30, 2011

VIA FACSIMILE
(212) 857-2346

The Honorable Denny Chin
Daniel Patrick Moynihan United States Courthouse
500 Pearl Street, Room 1020
New York, New York 10007

      Re: *Securities and Exchange Commission v. Byers, et al.*
               Civil Action No. 08-Civ.-7104 (DC)
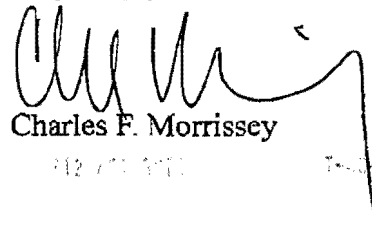
Dear Judge Chin:

      As you may recall, I am counsel for Liberty Mutual Insurance Company ("Liberty") in the above captioned matter. I write concerning the briefing schedule presently in place with respect to the Receiver's Motion to Enjoin and the contemplated Motion to Dismiss the Third Party Complaint filed against Liberty and Westport Insurance Corporation ("Westport"). Liberty and Westport are presently scheduled to file briefs on the matters described above on the same day that you have set this matter for a status conference subsequent to your Order of August 24, 2011 denying the Receiver's Motion to Approve the settlement with Much Shelist. Given the developments in this case and the fact that these issues may be moot, we respectfully request that you vacate the current briefing schedule. In the event that any party finds briefing necessary, counsel can raise that issue at the September 7, 2011 status hearing and you can order a new schedule if necessary.

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       If you are in agreement with this approach, could you please "So Order" this letter. Thank you for your attention to this matter.

Very truly yours,

Charles F. Morrissey

CFM/amp

cc: Paula E. Litt, Esq. (via e-mail)
       Howard S. Suskin, Esq. (via e-mail)
       Robert P. Conlon, Esq. (via e-mail)
       Randy Paar, Esq. (via e-mail)
       Scott Casher, Esq. (via e-mail)
       John K. Warren, Esq. (via e-mail)
       Alistaire Bambach, Esq. (via e-mail)
       Neal Jacobson, Esq. (via e-mail)

I agree. The briefing schedule is hereby vacated, to be re-set if necessary.

SO ORDERED.

USCJ

8/31/11